

Counterterrorist
training, Osan air base.



51st Communications Squadron (Lance Cheung)

Consequence Management

In Need of a Timeout

By SCOTT R. TAYLOR, AMY M. ROWE, and BRIAN M. LEWIS

Fifty years of successful counterproliferation efforts are coming to an end. Many countries are decided on acquiring weapons of mass destruction (WMD), something that this Nation cannot prevent. The likelihood that such devices will get into the hands of a rogue state, terrorist group, or dissidents violently opposed to U.S. interests cannot

be discounted. This threat is unlike any other confronted by America in its history.

Concern over WMD led Congress to mandate the enhancement of domestic preparedness and response measures to cope with terrorist attacks involving the use of nuclear, radiological, biological, and chemical weapons in the Defense Authorization Act for Fiscal Year 1997. The responsibilities of individual Federal agencies were further delineated in Executive Order 12656.

Today there are various programs that address WMD grouped under the rubric of consequence management (CM). Over forty Federal

Major Scott R. Taylor, USA, is a member of the Joint Intelligence Center, U.S. Pacific Command; Major Amy M. Rowe, USAF, is serving as an intelligence production and targeting policy officer, U.S. Pacific Command; and Commander Brian M. Lewis, USN, is assigned to the Bureau of Political-Military Affairs at the Department of State.

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DOD (Helene C. Stikkel)

Secretary Cohen briefing threat.

agencies share responsibility for preparedness and response in this realm, ranging from major players such as the Federal Emergency Management Agency (FEMA) and the Department of Defense to others with reduced roles such as the Department of Health and Human Services, Environmental Protection Agency, and Department of Energy. Both legislation and multiple, often conflicting executive-level directives provide a wind-

fall for any agency in search of new missions, funding, and expanded responsibilities. Replete with good intentions and ambitious for primary roles, agencies propagate programs, policies, strategies, and specially trained response teams. Examining the issues and determining the tasks in consequence management, let alone assessing the timeliness and efficiency of response procedures, can be an intimidating challenge.

A Problem of Definition

Current policies suggest three ways to enhance our ability to manage the immediate aftermath of WMD use: establish common definitions; deconflict and delineate interagency roles, responsibilities, and plans; and develop a streamlined, clearly defined response channel. Although existing interagency mechanisms have likely discussed these issues in other forums, consequence management principals (the heads of major Federal agencies) have made little progress in remedying problems.

There is no official definition of consequence management. The Department of State, which is responsible for coordinating consequence management abroad, identifies nine official definitions while the Department of Defense, which conducts preparedness and response training, uses two. The Federal Emergency Management Agency, which is responsible for domestic disaster relief, has its definition, as does the Environmental Protection Agency and the Department of Energy.

Although these definitions share the common theme that consequence management constitutes actions taken in the aftermath of a disaster, they differ on the scope and type of disasters that require it. The Armed Forces use a narrow definition, limiting consequence management to actions that counter "effects of an attack from nuclear, chemical, biological weapons of mass destruction." By comparison the Department of State defines it more broadly, in line with its international role, responding to a "life threatening or destructive event." Other definitions include actions to counter effects of terrorist attacks using either conventional explosives or nuclear, biological, and chemical (NBC) weapons. Still others include NBC-related industrial accidents (see accompanying figure).

WMD further confuse what constitutes consequence management. Joint Pub 1-02, *Department of Defense Dictionary of Military and Associated Terms*, construes WMD as devices that are capable of a high order of destruction or can be used to destroy large populations. In the Nunn-Lugar-Domenici Act, WMD include nuclear, chemical, biological, and radiological devices.¹ Moreover, other agencies embrace conventional high explosives in their definitions.

An interagency definition is all the more necessary given the current status of Federal planning, which is poorly coordinated and lacks central authority. Misunderstanding is inevitable. For instance, planning by the Joint Staff is focused only on WMD situations resulting from terrorism while planning by the Department of State suggests responses to large disasters of every kind anywhere in the world. What is more, the Environmental Protection Agency is concerned with hazards such as chemical spills while the Department of Energy responds when nuclear reactors are involved. Establishing a common point of reference is crucial because definitions imply roles and responsibilities and serve as a basis for allocating resources. A common definition is needed to initiate reform of consequence management, for without it little can be done to synergize response plans. Current differences also create confusion among allies, who may have to coordinate their responses with ours.

Consequence Management: Basic Elements versus Selected Definitions

	CJCS Instruction 3241.01, "Support to Foreign Consequence Management"	DOD Directive 3025.15, "Assistance to Civil Authorities"	FEMA/ Emergency Response Plan and Terrorism Annex	Department of State	Environmental Protection Agency	Special Operations Division (J-3), Joint Staff
NBC Weapons						X
Agents Accidental Release						
WMD Attack Conventional	X					
NBC	X					X
Terrorist Attack NBC			X		X	
Conventional			X		X	
Disasters and Catastrophes¹		X				
Life Threatening or Destructive Event²				X		

¹ The definition of disaster found in the Disaster Relief Act of 1974 (as amended in 1988 by the Stafford Act) "encompasses all conceivable manmade or natural occurrences whose catastrophic consequence could lead to a [state] governor's request for Federal assistance," which could include all the elements listed above.

² These two terms may incorporate all the elements above, but that is an assumption (for instance, an accidental release of chemicals may not be life threatening or destructive, depending on the amount and potency of the chemical released but may cause widespread nonfatal casualties).

Organizing the Team

Another issue is assigning responsibilities across the interagency community. Current policies, procedures, and interagency memos are an amalgam of well-intended but poorly coordinated programs that achieve unity of effort by accident rather than design. The Senior Interagency Coordinating Group for consequence management is comprised of the heads of primary agencies and chaired by the FEMA director. It provides oversight, advice, and coordination on major policy issues before a crisis occurs. It meets monthly but has no permanent staff or tasking authority and is subject to competing agendas, powerful personalities, and the need for consensus. Contentious issues tend to be postponed.

The problem of responding to incidents begins with the command and control concept of the lead Federal agency. As outlined in PDD 39, the concept assigns responsibility to the Federal Bureau of Investigation for the period before an incident occurs, but then transfers it to the Federal Emergency Management Agency once it takes

place. As one analyst remarked, this delineation is arbitrary and confusing: "In any domestic disaster, [consequence management] is the crisis."² This arrangement creates jurisdictional problems between the Federal Bureau of Investigation, which seeks to control the immediate situation and protect criminal evidence, and the Federal Emergency Management Agency, which endeavors to stabilize the situation, save lives, and initiate protective and containment protocols.

This relationship also complicates participation by the Armed Forces as military personnel find themselves in an environment where rules of engagement, responsibilities, and chain of command are fluid at best. A better procedure is needed to exercise command and control over an entire operation, especially where a clear transition from crisis to consequence management must be made.

A Combined Response

Responsibilities for consequence management also must be reviewed given the likelihood that local and state emergency management agencies cannot handle major incidents. Following criticism of its response to the San Francisco



Simulated chemical exercise at the Pentagon.

American Forces Information Service (Renée Stiller)

earthquake in 1989, the Federal Government intervened early in more recent disasters such as the Oklahoma City bombing, Los Angeles rioting, and Hurricane Andrew. Rapid assistance has become a reality and communities now expect it. Response procedures must be aligned to this need. Even though recent experience suggests that interagency response capabilities are improving, it has come about more by trial than prior arrangement. In a WMD incident, we cannot afford a similar learning curve. Finally, recent experience suggests that our citizens want a swift and comprehensive response to disasters of all kinds.

Recent disaster operations also point to a need for more prior coordination. Although PDD 39 designates the Federal Emergency Management Agency as lead organization for domestic consequence management, that agency usually requests military assistance. In addition to active and Reserve units, various elite technical teams, semi-deployable scientific research cells, and specialized medical groups are available for this purpose. Like the myriad agencies that claim responsibility for implementing the emergency response plan, military assets are both extensive and growing. Moreover there are other specialized Federal units, such as the Metropolitan Medical Strike Team (Department of Health and Human Services), Environmental Response Team



Chemical warfare training, Roving Sands '96.

DOD (Randy S. Mallard)

(Environmental Protection Agency), Radiological Assistance Teams (Department of Energy), and Hazardous Materials Response Unit (Federal Bureau of Investigation). They operate independently of any centralized coordinating authority prior to arrival on site. In addition,

efforts to integrate them or conduct interagency training have been lacking.

Assembling a combined Federal response force capable of addressing a range of contingencies on short notice is basically a question of prior planning, organization, and crisis decisionmaking to get the right units rapidly to the right place. This issue is especially important given the likelihood of early military participation in efforts led by the Federal Emergency Management Agency or the Department of State; the Armed Forces have the most highly-trained response units and the means to deploy them. Because the key to consequence management is rapid response, the Federal



Marine performing washdown, Urban Warrior.

Emergency Management Agency and the Departments of State and Defense must more fully integrate their operations.

The existing channels used to coordinate requests for military assistance must be streamlined. For example, DOD Directive 3025.15 designates the Department of the Army as the executive agent

the answer cannot be a short-term fix that assigns a mission to the Reserve components

for CM planning and implementation with responsibility to task service components and commit assets. This contradicts

other references such as CJCS Instruction 3214.01 and the Joint Strategic Capabilities Plan, which assign similar responsibilities to unified commands. Such disparate guidance complicates the response process and in some cases appears to be contrary to joint doctrine.

A system enabling the Federal Emergency Management Agency and the Departments of State and Defense to coordinate prior to a situation would assist in the rapid execution of plans and tasking of additional response units. The need for such a structure is apparent given the proliferation of active and Reserve units dedicated to consequence management. The restructuring of chemical, biological, and radiological units in the Reserve force into rapid assessment and initial detection teams, as well as battlefield support



Loading FEMA generators at Roosevelt Roads.

DOD (Von Seggeren)

units, is a case in point. The answer to consequence management cannot be a short-term fix that assigns a mission to the Reserve components at the expense of primary wartime roles. Moreover, it creates additional challenges:

How should National

Guard units from one state be deployed in another? How can Reserve units that require a Presidential call-up be rapidly integrated in a response, and how can demanding technical proficiencies be maintained with 38 Reserve training days per year? Handing the CM mission to Reservists raises as many questions as it answers and must be reviewed and managed carefully.

Other Gaps

Another issue is the role of the Armed Forces in the FEMA emergency response plan, which is mainly implied. Within this plan, military participation with Federal agencies is conditional: it is not planned *a priori* but requested, usually after



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Rescuers at site
of Oklahoma City
bombing.

the fact and only when the on-scene commander has determined help is needed.³ Such a concept—although appropriate for a natural disaster—is outmoded when dealing with WMD. The emergency response plan has additional implementation problems. For example, 14 Federal agencies possess some responsibility for hazardous materials, which needlessly complicates rapid cleanup by clouding response coordination and on-scene responsibilities.

The only option for improving the response time to an unexpected disaster is prior planning, coordination, and training all parties. The terrorism annex to the emergency response plan describes the relationship among response plans for various agencies, but military plans are not shown, which implies DOD response planning is not integrated into the main plan. The lack of coordinated planning between the agencies responsible for domestic preparedness represents a major shortcoming in Federal consequence management.

Current FEMA-DOD interaction leaves much to be desired and should be improved by renewed emphasis on the interagency process. Some argue that the responsibility for consequence management should be delegated to a new unified command—in effect militarizing the issue—or else be assigned to U.S. Atlantic Command. But neither approach is likely to satisfy a situation that demands immediate stabilization, public order, treatment of casualties, restoration of essential services, and determination of criminal responsibility. Only the full range of Federal capabilities can accomplish that mission; and interagency planning and coordination before execution are vital.

The final gap in planning and executing a consequence management strategy involves training for the first responders—local actors who initially arrive on the scene. They include police officers, firefighters, emergency service personnel, and medical specialists. Under current policy, responders are responsible for early treatment and containment of incidents. Equally critical is their responsibility for assessing the situation and expeditiously requesting other support from state and Federal agencies. Since Federal studies suggest that added resources will not be available for 6 to 12 hours, managing the initial aftermath falls squarely on the first responders. Their actions determine success or failure.

Under the Nunn-Lugar-Domenici Act the Armed Forces became responsible for training first responders. In 1997, the U.S. Army Chemical Biological Defense Command initiated a pilot program to train first responders in major metropolitan areas. Initial instruction was oriented toward training the trainers. Local and state agencies expanded their efforts as a result, many by integrating response plans with FEMA regional offices. In short, DOD accomplished two goals: providing expertise to first responders and stimulating development of local emergency action plans.

Citing budgetary cuts, DOD will terminate training in 1999, and no other agency has offered to sponsor a replacement program. This can seriously erode gains in response capabilities. Training for first responders should continue until metropolitan areas are capable of initial incident management.

Airmen entering missile silo to test protection suits.



DOD (Ed Holzapfel)

Recommendations

One assumption in the emergency response plan is that no single agency has the expertise or authority to manage WMD incidents. When multiple agencies are involved, however, decision-making becomes cumbersome. Accordingly a single official should be assigned responsibility for CM policy, planning, training, and implementation. A Presidential adviser responsible for consequence management—a czar with a role patterned on the drug czar—would coordinate consequence management at the Federal level. This cabinet-level appointee could task agencies and exercise nominal authority over FEMA in matters concerning consequence management. Most importantly, he would articulate national goals for domestic and foreign contingencies.

the Federal response center would be dedicated to management as well as command and control

This czar would chair the Senior Interagency Coordinating Group and formalize a structure for an independent office. Consequence management, like the so-called drug war, cannot be conducted on an ad hoc basis. The office for consequence management would have a small staff with five elements: a Federal response center, an intelligence fusion cell, a plans and policy office, an interagency training coordinator, and an office of legislative and legal affairs.

The Federal response center would be dedicated to management as well as the command and control of ongoing crises. It would serve as a clearinghouse for responses to crises and be staffed by representatives of major Federal organizations. Though managed by the CM czar, personnel assigned to the center would conduct liaison for their agencies and exercise tasking authority over elements of their agencies designated as responders. They would also be experts on agency capabilities and the proper employment of their units. The center would be the single entry point into the Federal response structure for local, state, and regional officials engaged in consequence management. During a major incident, the center could immediately activate a plan tasking previously identified units and response teams. In support of foreign consequence management assistance, the center could act as the single entry point for requests by the Department of State for disaster relief. It would coordinate with the appropriate agencies to provide the requested support.

In most cases the support of the Federal response center would not be ad hoc, but preplanned and exercised before a crisis. Planning would be the responsibility of the remaining four offices. The intelligence fusion cell, with access to multiple information resources and databases, would focus on global developments and trends that influence consequence management plans and response. Intelligence on terrorist organizations as well as threat assessments would be shared and examined. The plans and policy office would be composed of action officers from the principal Federal responding agencies, including DOD, to ensure that all viewpoints were represented. It would develop national goals and objectives, establish agency responsibilities, and consolidate interagency plans for foreign and domestic support for consequence management. The plans office would function like a J-5 plans section, only on an interagency level, and would develop deliberate and crisis-action plans. This office could develop interagency doctrine for consequence management and recommend changes to existing documents to ensure their consistency with national policy. Unresolved disputes would



Evaluating casualties
after simulated
chemical attack

be forwarded to the Senior Interagency Coordinating Group.

Once plans are coordinated and approved, they would pass to the interagency coordinator to develop guidelines for individual training and the creation of interagency exercises to test the plans and evaluate the readiness of responders. One of the office's major responsibilities would be incorporating interagency representatives into JTF exercises and JTF personnel into FEMA exercises. This office would also recommend changes to response plans based on exercise results and areas for legal review. Finally the office of legislative and legal affairs would advise on domestic and international legal restrictions as well as identify laws that might be modified to improve the response to consequence management. It would also coordinate budget proposals with Congress and help draft legislation on consequence management.

The organization described above establishes a single authority to provide strategic direction for all agencies involved in consequence management. A czar for consequence management must

have the tasking authority to rapidly execute plans and compel interagency cooperation. This would improve interagency coordination, planning, and cooperation both before and during an event. For small-scale disasters, a consequence management czar could serve in a supporting role, with the Federal response center ready to coordinate additional resources. The czar and his office would enable a more effective use of all assets by fully integrating DOD plans into the Federal response and provide a link for the use of FEMA assets to support incidents abroad. By creating one office to manage planning, coordination, and training, national assets could be used to greater advantage. Finally, a consequence management office would be ideally situated to identify gaps and eliminate duplication in current planning. It would correct the problems caused by competing agendas and begin to conduct the kind of deliberate plans a consequence management response will require.

JFQ

NOTES

¹ Tom Barrows, "Terminology," *A Common Perspective*, vol. 7, no. 1 (April 1999), p. 37.

² See Chris Seiple, "Consequence Management: Domestic Response to Weapons of Mass Destruction," *Parameters*, vol. 27, no. 3 (Autumn 1997), pp. 119–34. Lessons learned are from the Atlanta Olympics, the first time a domestic response force was formed as a preventive measure.

³ According to the Federal Emergency Management Agency, an on-scene commander is any local official who assumes primary responsibility for coordinating the initial response: sheriff, police chief, fire department captain, or FEMA representative from the regional office. The list is undefined, which is paradoxical given that this individual often determines the success or failure of an operation.